

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

IN RE:

Edward Arnold Miller,
DEBTOR.

CHAPTER 13
CASE NO. 14-49590-MBM
JUDGE MARCI B. MCIVOR

TRUSTEE'S OBJECTION TO DEBTOR'S PROPOSED PLAN MODIFICATION

NOW COMES the Chapter 13 Standing Trustee in this matter, David Wm. Ruskin, and objects to the debtor's Proposed Plan Modification, and in support thereof states as follows:

1. The debtor voluntarily sought Chapter 13 relief on June 4, 2014 and the debtor's Chapter 13 Plan was confirmed on December 23, 2014 as a 60 month Plan providing a \$0.00 base Plan to the unsecured creditors.

2. The debtor's Proposed Modified Plan seeks to excuse the debtor's Plan payments in the amount of \$8,844.00 due to the debtor's medical issues and medical expenses.

3. The Trustee is unable to evaluate the relief requested as the debtor has not provided the debtor's 2016 and 2017 tax returns and any tax refunds associated with those tax years. Absent further information, the Trustee is unable to determine whether the debtor's Proposed Modified Plan complies with 11 U.S.C. Section 1325 and 11 U.S.C. Section 1329.

4. The debtor's Proposed Modified Plan will not complete within the statutory limit of 60 months as required by 11 U.S.C. Section 1329(c). The debtor's Proposed Plan Modification runs 102 months and would need an increase to \$2,764.00 per month in order to run timely due to a large priority claim and secured claims not yet paid in full. As such, the debtor's Proposed Modified Plan does not comply with 11 U.S.C. Section 1325 and 11 U.S.C. Section 1329.

WHEREFORE, the Chapter 13 Standing Trustee requests that this Honorable Court deny the relief requested by the debtor, and grant any further and other relief as this Court deems equitable and just.

OFFICE OF DAVID WM. RUSKIN,
STANDING CHAPTER 13 TRUSTEE

Dated: July 3, 2018

By: /s/ Lisa K. Mullen
DAVID WM. RUSKIN (P26803)
LISA K. MULLEN (P55478)
THOMAS D. DECARLO (P65330)
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**CERTIFICATE OF SERVICE OF TRUSTEE'S OBJECTION TO DEBTOR'S
PROPOSED PLAN MODIFICATION**

I hereby certify that on July 3, 2018, I electronically filed the TRUSTEE'S OBJECTION TO DEBTOR'S PROPOSED PLAN MODIFICATION with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

The following parties were served electronically:

MORAN LAW OFFICE
25600 WOODWARD AVE SUITE 201
ROYAL OAK, MI 48067-0000

The following parties were served via First Class Mail at the addresses below by depositing same in a United States Postal Box with the lawful amount of postage affixed thereto:

Edward Arnold Miller
15776 Rosemont Ave.
Detroit, MI 48223-0000

/s/ Vanessa Wild
Vanessa Wild
For the Office of David Wm. Ruskin
Chapter 13 Standing Trustee-Detroit
1100 Travelers Tower
26555 Evergreen Road
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